

FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 1996 and 1997—CONFERENCE REPORT

The Senate continued with consideration of the conference report.

The PRESIDING OFFICER. The Senator from Wyoming is recognized for up to 5 minutes.

Mr. THOMAS. Mr. President, I rise in support of the conference report on H.R. 1561, the State Department Reorganization Act, and of the distinguished chairman of the Foreign Relations Committee.

I do not need to reiterate for my colleagues the tortuous route that this bill has followed to make it to the floor today; I believe we are all aware of it. Let me just note why I feel this bill is important.

This legislation was the first authorization measure to reach the floor of the Senate within budget targets, fulfilling the mandate the American people gave us last November. This bill is a promise kept: money is saved, redundant bureaucracies eliminated, and the ability of our Nation to conduct foreign policy enhanced.

We will hear all sorts of arguments against this legislation. Let me just address a few that fall within the jurisdiction of my Subcommittee on East Asia. Several of my Democrat colleagues circulated a "Dear Colleague" letter last week on the China-specific provisions of the conference report. In it, they expressed concern that "[s]everal provisions in this report are unnecessarily provocative to China and precipitate continuing destabilization of U.S.-Sino relations."

Let me say here that I am a great supporter of improving relations with the People's Republic of China; I am supportive of the one-China policy. But I have examined the sections with which they were concerned, and find them essentially to be strawman arguments, without impact on our adherence to the one-China policy. Let me go through them one by one.

First, they are concerned with section 1601, which declares that the provision of the Taiwan Relations Act (22 U.S.C. §§3301 et seq.) supersede provisions of the United States-China joint communique of August 17, 1992.

Frankly, as the chairman of the Subcommittee on East Asia and Pacific Affairs, I don't share their opposition to this particular provision. The Taiwan Relations Act, which governs our relationship with Taiwan, is a statute and as such is the law of the land. The only thing which could supersede it would be a treaty. The communique, however, is not a treaty; it was never presented to the Senate for its advice and consent. Rather, it is simply an official announcement of the intentions of the respective parties. Consequently, it is not binding on either party, and has no force of law in the United States.

Section 1601 is therefore simply a restatement of legal fact. As such, I am at a loss to understand why it would be objectionable to the Chinese, objec-

tionable to my colleagues, or a source of encouragement to pro-independence elements on Taiwan.

Second, they fault section 1708 which supports the admission of the President of Taiwan with all appropriate courtesies. Mr. President, while I myself am not a fan of this section, I would note first that the section does not mandate the admission of President Li. Second, I would note that just this week President Lee said we would not seek to make such a visit.

Third, they fault section 1606 which would according to them, and I quote, "impose unnecessary new reporting requirements on the State Department to provide detailed information and political judgments on the implementation of the Sino-British Joint Declaration on Hong Kong".

I find this the least compelling of their concerns. We regularly require the State Department to make these reports all the time; the Department probably prepares such a report on almost every country in the world save some of the smaller ones.

We have a real interest in assuring that the People's Republic of China lives up to their agreements, and such a report would be extremely important that they do so in relation to their promise to protect democracy there after 1997. An annual report would be especially helpful to this body in following developments there.

Their next complaint is that section 1603 would change the name of Taiwan's office here from Taiwan Economic and Cultural Representative Office to Taiwan Representative Office. I fail to see how this simple name change can cause so much consternation.

Finally, Mr. President, they oppose section 1303, regarding Tibet. I would note, however, that this section simply authorizes the President to appoint a special envoy; it does not require him to do so. If he finds the idea so objectionable, then he does not have to make the appointment.

Mr. JOHNSTON. Will the Senator yield?

Mr. THOMAS. I yield.

Mr. JOHNSTON. Mr. President, what I meant is sort of a precipitating event that caused this tit-for-tat thing, and the Chinese are clearly greatly to be criticized for all of those things that my colleague said, but I really meant the precipitating events. You can point to that as the events that started it all, and that has led from that point on.

Mr. THOMAS. I appreciate the comments. I do not think there is any question that we should understand how important that is to the People's Republic of China. It probably means more to them than it does to us and we need to recognize that.

So my colleagues can see that these five sections, taken independently, are of little if any import. Some of my colleagues have said that, while that may be the case, taken together they are alarming. Well, Mr. President, if sepa-

ately these sections equal zero, then they still equal zero when added together.

I take exception to the argument of the Senator from Louisiana that United States-China relations were going along fine until we decided to admit President Li to the United States, and that these sections will simply make matters worse. Frankly, that's a statement I would expect to hear from the Chinese Ambassador here. What about their nuclear transfers to Pakistan? What about their failure to live to the intellectual property rights agreement? What about their pretensions in the Spratly Islands? What about human rights violations? What about their back-sliding regarding Hong Kong?

Mr. President, the present state of affairs is hardly the sole fault of the United States. And these give sections are hardly going to cause a precipitous downturn in those relations. As the Chinese say, it takes two hands to clap.

So again Mr. President, I rise in support of this proposal. I think it is one of the things that the voters said to us in 1994. They said we need to make some changes in the way the Federal Government operates; that the Government is too big, it spends too much, and that we should find better ways to deliver services, that we should find more efficient ways to use tax dollars.

This bill is the way to do that. Mr. President, every other sector of our Government is facing difficult cuts and reorganization; the foreign policy sector should have to bear the same burden as any other. This is not about isolationism, though many Democrats would have the public believe otherwise in a hope to obscure the issue, not about usurping the role of the executive branch, nor is it about a vendetta aimed at a particular set of bureaucrats.

I cannot commend Chairman HELMS enough on his hard work and persistence on this legislation; I urge my colleagues to support it.

DEBT LIMIT INCREASE

The PRESIDING OFFICER. The Chair announces that H.R. 3136 has just been received from the House, and under the previous order the bill is considered read a third time and passed and the motion to reconsider is laid upon the table.

So the bill (H.R. 3136) was considered read the third time and passed.

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Mrs. FEINSTEIN. Mr. President, I believe I have an hour reserved and I yield myself such time as I may consume.

Mr. President, I rise as a member of the Foreign Relations Committee to